

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

PATRICIA WALKER-HALSTEAD,

Defendant.

8:13CR310

PRELIMINARY ORDER OF FORFEITURE

This matter comes on before the Court upon the United States's Motion for Preliminary Order of Forfeiture (Filing No. 76). The Court reviews the record in this case and, being duly advised in the premises, finds as follows:

1. The Defendant has entered into a Plea Agreement (Filing No. 46), whereby she has agreed to plead guilty to Count III of the Indictment and has agreed to admit the Forfeiture Allegation in said Indictment. Count III charged the Defendant with wire fraud and aiding and abetting, in violation of 18 U.S.C. §§ 1343 and 2. The Forfeiture Allegation sought the forfeiture, pursuant to 18 U.S.C. § 981, of money and a vehicle. Pursuant to the parties' Stipulation (Filing No. 75), the parties specified the Defendant agrees to forfeit her interest in a 2012 GMC Terrain, SLT, VIN 2GKFLXEK7C6301997, and in \$2,412.39 seized from bank account number xxxxxx3478 at U.S. Bank, Omaha, Nebraska. By virtue of said guilty plea, the Defendant forfeits her interest in the vehicle and the money subject currency, and the United States should be entitled to possession of the same.

2. The United States's Motion for Preliminary Order of Forfeiture should be sustained.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

A. The United States's Motion for Preliminary Order of Forfeiture is hereby sustained.

B. Based upon the Forfeiture Allegation of the Indictment, the Defendant's plea of guilty and the parties' Stipulation, the United States is hereby authorized to seize the 2012 GMC Terrain, VIN 2GKFLXEK7C6301997, and the \$2,412.39 seized from bank account number xxxxxx3478 at U.S. Bank, Omaha, Nebraska.

C. The Defendant's interest in these properties is hereby forfeited to the United States for disposition in accordance with the law, subject to the provisions of 21 U.S.C. § 853(n)(1).

D. The aforementioned property is to be held by the United States in its secure custody and control.

E. Pursuant to 21 U.S.C. § 853(n)(1), the United States forthwith shall publish for at least thirty consecutive days on an official internet government forfeiture site (www.forfeiture.gov) notice of this Order, Notice of Publication evidencing the United States' intent to dispose of the currency in such manner as the Attorney General may direct, and notice that any person, other than the Defendant, having or claiming a legal interest in any of the subject currency must file a Petition with the court within thirty days of the final publication of notice or of receipt of actual notice, whichever is earlier.

F. Said published notice shall state the Petition referred to in Paragraph E, above, shall be for a hearing to adjudicate the validity of the Petitioner's interest in the currency, shall be signed by the Petitioner under penalty of perjury, and shall set forth the nature and extent of the Petitioner's right, title or interest in the subject currency and any additional facts supporting the Petitioner's claim and the relief sought.

G. The United States may also, to the extent practicable, provide direct written notice to any person known to have an interest in the currency subject to this Order as a substitute for published notice as to those persons so notified.

ORDERED this 28th day of June, 2016.

BY THE COURT:

s/ Joseph F. Bataillon
JOSEPH F. BATAILLON
Senior United States District Judge